

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

BRION P. MORRIS,

Plaintiff,

v.

Case No. 2:07-cv-245  
HON. R. ALLAN EDGAR

M. BRADLEY, et. al.,

Defendants.

---

---

**MEMORANDUM AND ORDER**

---

\_\_\_\_ Plaintiff Brion P. Morris, a Michigan state prisoner in the custody of the Michigan Department of Corrections, brings this *pro se* civil rights action under 42 U.S.C. § 1983. On February 3, 2009, Magistrate Judge Timothy P. Greeley submitted his report and recommendation [Doc. No. 18] pursuant to 28 U.S.C. § 636(b)(1)(B) and W.D. Mich. LCivR 72.1(c). It is recommended that the plaintiff's entire complaint be dismissed pursuant to Fed. R. Civ. P. 41(b) on the ground of failure to prosecute. Plaintiff Morris has not timely filed an objection to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3(b). Accordingly, the plaintiff's entire complaint shall be **DISMISSED WITH PREJUDICE** pursuant to Fed. R. Civ. P. 41(b).

For the same reason that the Court dismisses this action, the Court will certify that there is no good faith basis for plaintiff Morris to take an appeal from this decision. 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(4)(B); *McGore v. Wigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

A separate judgment will enter.

SO ORDERED.

Date: March 6, 2009.

/s/ R. Allan Edgar

R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE